

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
                                  Plaintiff, )  
                                  )  
                                  vs. )  
                                  )  
PAUL J. MILLER, )  
                                  )  
                                  Defendant. )  
                                  )

8:10CR299

ORDER

This matter is before the court on the defendant's unopposed motion to continue trial [26] due to defense counsel's scheduling conflict.

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial now set for December 6, 2011 is continued to **January 3, 2012**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 6, 2011 and January 3, 2012**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED November 23, 2011.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**